

(t) *Sorbent* means materials essentially inert and insoluble used to remove oil from water through a variety of sorption mechanisms. Examples include straw, expanded perlite, polyurethane foam, reclaimed paper fibers, and peat moss.

(u) *Such quantities as may be harmful* means those quantities of oil and any hazardous substances determined in accordance with the provisions of section 311(b)(4) of the Act.

NOTE: Regulations that relate to such quantities as may be harmful of oil are published in 40 CFR Part 110. Regulations that relate to such quantities as may be harmful (reportable quantities) of hazardous substances are published in 40 CFR Part 117 and also listed in 40 CFR Part 302.

(v) *United States* means the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(w) *Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

[CGD 84–067, 51 FR 17965, May 16, 1986, as amended by CGD 88–052, 53 FR 25121, July 1, 1988; CGD 96–026, 61 FR 33665, June 28, 1996; CGD 97–023, 62 FR 33363, June 19, 1997]

**§ 153.105 FWPCA delegations and re-delegation.**

The delegations and redelegations under the Federal Water Pollution Control Act (FWPCA) [33 U.S.C. 1321 *et seq.*] are published in § 1.01–80 and § 1.01–85, respectively, of this chapter.

[CGD 91–225, 59 FR 66485, Dec. 27, 1994]

**§ 153.107 [Reserved]**

**§ 153.109 CERCLA delegations.**

The delegations under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) are published in § 1.01–70 of this chapter.

[CGD 83–009, 49 FR 575, Jan. 5, 1984]

**Subpart B—Notice of the Discharge of Oil or a Hazardous Substance**

**§ 153.201 Purpose.**

The purpose of this subpart is to prescribe the manner in which the notice required in section 311(b)(5) of the Act is to be given and to list the government officials to receive that notice.

**§ 153.203 Procedure for the notice of discharge.**

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as they have knowledge of any discharge of oil or a hazardous substance from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593, toll free telephone number 800–424–8802 (in Washington, DC metropolitan area, (202) 267–2675). If direct reporting to the NRC is not practicable, reports may be made to the Coast Guard or EPA predesignated OSC for the geographic area where the discharge occurs. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or the predesignated OSC immediately, reports may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility notifies the NRC as soon as possible.

NOTE: Geographical jurisdiction of Coast Guard and EPA OSC's are specified in the applicable Regional Contingency Plan. Regional Contingency Plans are available at Coast Guard District Offices and EPA Regional Offices as indicated in Table 2. Addresses and telephone numbers for these offices are listed in Table 1.

[CGD 84–067, 51 FR 17966, May 16, 1986, as amended by CGD 88–052, 53 FR 25121, July 1, 1988]

**§ 153.205 Fines.**

Section 311(b)(5) of the Act prescribes that any person who fails to notify the appropriate agency of the United States Government immediately of a

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discharge is, upon conviction, fined in accordance with Title 18, U.S. Code, or imprisoned for not more than 5 years, or both.

[CGD 97-023, 62 FR 33364, June 19, 1997]

TABLE 1—ADDRESSES AND TELEPHONE NUMBERS OF COAST GUARD DISTRICT OFFICES AND EPA REGIONAL OFFICES

|                              | Address   | Telephone    |
|------------------------------|---|--------------|
| EPA Regional Offices         |   |              |
| Region:                      |   |              |
| I ....                       | John F. Kennedy Federal Bldg., Boston, MA 02203.  | 617-565-3715 |
| II ....                      | 26 Federal Plaza, New York, NY 10278.   | 212-264-2525 |
| III ...                      | 841 Chestnut Street, Philadelphia, PA 19107.  | 215-597-9800 |
| IV ..                        | 345 Courtland Street, NE, Atlanta, GA 30365.  | 404-347-4727 |
| V ...                        | 230 S. Dearborn Street, 13th Floor, Chicago, IL 60604.                                  | 312-353-2000 |
| VI ..                        | 1445 Ross Ave., 12th Floor, Suite 1200, Dallas, TX 75202.                               | 214-655-6444 |
| VII ..                       | 726 Minnesota Avenue, Kansas City, KS 66101.  | 913-236-2800 |
| VIII ..                      | 999 18th St., Suite 500, Denver, CO 80202-2405.   | 303-293-1603 |
| IX ..                        | 215 Fremont Street, San Francisco, CA 94105.  | 415-974-8071 |
| X ...                        | 1200 6th Avenue, Seattle, WA 98101.   | 206-442-5810 |
| Coast Guard District Offices |   |              |
| District:                    |   |              |
| 1st                          | 408 Atlantic Ave., Boston, MA 02110-2209.   | 617-223-8444 |
| 5th                          | Federal Bldg., 431 Crawford St., Portsmouth, VA 23705-5004.                             | 757-398-6638 |
| 7th                          | Federal Bldg., Room 1221, 51 S.W. 1st Ave., Miami, FL 33130.                            | 305-536-5651 |
| 8th                          | Hale Boggs Federal Bldg., 500 Camp St., New Orleans, LA 70130-3396.                     | 504-589-6901 |
| 9th                          | 1240 East 9th St., Cleveland, OH 44199.   | 216-522-3919 |
| 11th                         | Building 50-6, Coast Guard Island, Alameda, CA 94501.                                   | 510-437-2940 |
| 13th                         | Federal Bldg., 915 Second Ave., Seattle, WA 98174.                                      | 206-442-5850 |
| 14th                         | Prince Kalanianaʻole Federal Bldg., 300 Ala Moana Blvd., 9th Floor, Honolulu, HI 96850. | 808-541-2114 |
| 17th                         | P.O. Box 3-5000, Juneau, AK 99802.  | 907-586-7195 |

TABLE 2—STANDARD ADMINISTRATIVE REGIONS OF STATES AND CORRESPONDING COAST GUARD DISTRICTS AND EPA REGIONS

| States and EPA region    | Coast Guard district |
|--------------------------|----------------------|
| Region I:<br>Maine ..... | 1st                  |

TABLE 2—STANDARD ADMINISTRATIVE REGIONS OF STATES AND CORRESPONDING COAST GUARD DISTRICTS AND EPA REGIONS—Continued

| States and EPA region                     | Coast Guard district |
|---|----------------------|
| New Hampshire .....                       | 1st                  |
| Vermont:                                  |                      |
| All except Northwestern portion .....     | 1st                  |
| Northwestern portion .....                | 1st                  |
| Massachusetts .....                       | 1st                  |
| Connecticut .....                         | 1st                  |
| Rhode Island .....                        | 1st                  |
| Region II:                                |                      |
| New York:                                 |                      |
| Coastal area and Eastern portion .....    | 1st                  |
| Great Lakes area and other portions ..... | 9th                  |
| New Jersey:                               |                      |
| Upper portion .....                       | 1st                  |
| Lower portion .....                       | 5th                  |
| Puerto Rico .....                         | 7th                  |
| Virgin Islands .....                      | 7th                  |
| Region III:                               |                      |
| Pennsylvania:                             |                      |
| Eastern portion .....                     | 5th                  |
| Great Lakes area .....                    | 9th                  |
| Southwestern portion .....                | 8th                  |
| Maryland .....                            | 5th                  |
| Delaware .....                            | 5th                  |
| West Virginia .....                       | 8th                  |
| Virginia .....                            | 5th                  |
| District of Columbia .....                | 5th                  |
| Region IV:                                |                      |
| Kentucky .....                            | 8th                  |
| Tennessee .....                           | 8th                  |
| North Carolina .....                      | 5th                  |
| South Carolina .....                      | 7th                  |
| Georgia .....                             | 7th                  |
| Florida:                                  |                      |
| Atlantic and Gulf coasts .....            | 7th                  |
| Panhandle area .....                      | 8th                  |
| Alabama .....                             | 8th                  |
| Mississippi .....                         | 8th                  |
| Region V:                                 |                      |
| Minnesota:                                |                      |
| Great Lakes area .....                    | 9th                  |
| Inland rivers area .....                  | 8th                  |
| Wisconsin:                                |                      |
| Great Lakes area .....                    | 9th                  |
| Inland rivers area .....                  | 8th                  |
| Michigan .....                            | 9th                  |
| Illinois:                                 |                      |
| Great Lakes area .....                    | 9th                  |
| Inland rivers area .....                  | 8th                  |
| Indiana:                                  |                      |
| Great Lakes area .....                    | 9th                  |
| Inland rivers area .....                  | 8th                  |
| Ohio:                                     |                      |
| Great Lakes area .....                    | 9th                  |
| Inland rivers area .....                  | 8th                  |
| Region VI:                                |                      |
| New Mexico .....                          | 8th                  |
| Texas .....                               | 8th                  |
| Oklahoma .....                            | 8th                  |
| Arkansas .....                            | 8th                  |
| Louisiana .....                           | 8th                  |
| Region VII:                               |                      |
| Nebraska .....                            | 8th                  |
| Iowa .....                                | 8th                  |
| Kansas .....                              | 8th                  |
| Missouri .....                            | 8th                  |
| Region VIII:                              |                      |
| Montana .....                             | 13th                 |

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TABLE 2—STANDARD ADMINISTRATIVE REGIONS OF STATES AND CORRESPONDING COAST GUARD DISTRICTS AND EPA REGIONS—Continued

| States and EPA region                        | Coast Guard district |
|--|----------------------|
| Wyoming .....                                | 8th                  |
| Utah .....                                   | 11th                 |
| Colorado .....                               | 8th                  |
| North Dakota .....                           | 8th                  |
| South Dakota .....                           | 8th                  |
| Region IX:                                   |                      |
| California .....                             | 11th                 |
| Nevada .....                                 | 11th                 |
| Arizona .....                                | 11th                 |
| Hawaii .....                                 | 14th                 |
| Guam .....                                   | 14th                 |
| American Samoa .....                         | 14th                 |
| Trust Territory of the Pacific Islands ..... | 14th                 |
| Northern Mariana Islands .....               | 14th                 |
| Region X:                                    |                      |
| Washington .....                             | 13th                 |
| Oregon .....                                 | 13th                 |
| Idaho .....                                  | 13th                 |
| Alaska .....                                 | 17th                 |

[CGD 84–067, 51 FR 17967, May 16, 1986, as amended by CGD 88–052, 53 FR 25121, July 1, 1988; CGD 97–023, 62 FR 33364, June 19, 1997; USCG–1998–3799, 63 FR 35530, June 30, 1998]

### Subpart C—Removal of Discharged Oil

**§ 153.301 Purpose.**

The purpose of this subpart is to prescribe methods and procedures to be used to remove discharges of oil from coastal waters.

**§ 153.303 Applicability.**

The provisions of this subpart apply to any owner or operator of a vessel or onshore or offshore facility from which a discharge of oil into coastal waters occurs who acts to remove or arranges for the removal of such discharges.

**§ 153.305 Methods and procedures for the removal of discharged oil.**

Each person who removes or arranges for the removal of a discharge of oil from coastal waters shall:

(a) Use to the maximum extent possible mechanical methods and sorbents that:

- (1) Most effectively expedite removal of the discharged oil; and
- (2) Minimize secondary pollution from the removal operations;

NOTE: The Federal OSC is authorized by the provisions of the National Contingency

Plan to require or deny the use of specific mechanical methods and sorbents. Sorbent selection considerations of the OSC include hydrographic and meteorological conditions, characteristics of the sorbent, and availability of a mechanical method for containment and recovery.

(b) Control the source of discharge, prevent further discharges, and halt or slow the spread of the discharge by mechanical methods or sorbents or both to the maximum extent possible;

(c) Recover the discharged oil from the water or adjoining shorelines by mechanical or manual methods or both to the maximum extent possible;

(d) Use chemical agents only in accordance with the provisions of Subpart H of the National Contingency Plan and with the prior approval of the Federal OSC; and

(e) Dispose of recovered oil and oil contaminated materials in accordance with applicable State and local government procedures.

[CGD 73–185, 41 FR 12630, Mar. 25, 1976, as amended by CGD 84–067, 51 FR 17966, May 16, 1986]

**§ 153.307 Penalties.**

Any person who fails or refuses to comply with the provisions of this part, or to comply with an order issued by the Federal On-Scene Coordinator under 33 U.S.C. §§ 1321(c) or (e)(1)(B), is liable for a civil penalty per day of violation or an amount equal to three times the costs incurred by the Oil Spill Liability Trust Fund as a result of such failure.

[USCG–1998–3799, 63 FR 35531, June 30, 1998]

### Subpart D—Administration of the Pollution Fund

**§ 153.401 Purpose.**

This subpart prescribes policies, procedures, and reporting requirements for the payment from and deposit into the Fund established pursuant to section 311(k) of the Act.

**§ 153.403 Applicability.**

The provisions of this subpart apply to:

(a) Each Federal and State agency that desires reimbursement from the Fund for costs incurred during a removal activity; and